

ORDINANCE NO. 45-979

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON 2002-23

Request for zone change from "SF-5" Single-Family Residential to "LC" Limited Commercial and to P-O #113 -- Protective Overlay District, on property described as:

Lot 1, Block 1, University and Ridge Addition, except the east 157.75 feet, Wichita, Sedgwick County, Kansas.

Generally located at the northeast corner of University and Ridge.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

- A. No off-site or portable signs shall be permitted on the subject property. No building signs shall be permitted along the face of any building that faces any adjoining property or property across the street from the subject property that is in a residential zoning district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any adjoining property or property across the street from the subject property that is in a residential zoning district. Light poles shall be limited to a maximum height of 14 feet.
- C. Outdoor speakers and sound amplification systems shall not be permitted except for businesses with a drive-thru aisle.
- D. No buildings shall exceed one story in height with a maximum building height of 25 feet.
- E. A six-foot high masonry wall shall be constructed parallel to the south and east property lines where property in a residential zoning district adjoins or is across the street the subject property. The masonry wall along the south property line shall be setback from the property line a sufficient distance to provide the required landscaped street yard on the south side of the wall.
- F. The following uses shall not be permitted: adult entertainment establishment, group residence, correctional placement residence, group home, recycling collection station, reverse vending machine, car wash, convenience store, night club, recreation and entertainment, service station, tavern and drinking establishment and vehicle repair.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, THIS FEBRUARY 3, 2004.

ATTEST:

Karen Schofield, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney